

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

10 FEB 11 2019

IN THE MATTER OF THE  
APPLICATION OF THE UNITED  
STATES OF AMERICA FOR AN ORDER  
AUTHORIZING EXTENSION OF THE  
DELAY OF NOTIFICATION IN THE  
OBTAINING OF PRECISE LOCATION  
DATA CONCERNING CELLULAR  
TELEPHONE ASSIGNED CALL  
NUMBER 513-283-4783

MAGISTRATE NO. 1:18-MJ-744

Fed. R. Crim. P. 41  
18 U.S.C. §§ 3103(a)(b) and (c)

(UNDER SEAL)

APPLICATION

Comes now the United States of America, by and through Benjamin C. Glassman, United States Attorney, and Karl P. Kadon III, Assistant United States Attorney, for the Southern District of Ohio, and, based upon the Affidavit of Drug Enforcement Administration Task Force Officer, Michael Matulewicz, which is attached hereto and incorporated by reference herein, hereby moves for an Order extending the notice of the execution of a Search Warrant allowing the collection of Precise Location GPS coordinates on telephone number 513-283-4783, utilized by Hector Rodriguez, aka "Nino Chido", for an additional period of ninety (90) days in an investigation of offenses committed by individuals involved with Hector Rodriguez, and others unknown, using the above listed cellular telephones in violation of Title 21, United States Code, Sections 841(a)(1), due to the covert nature of this ongoing investigation.

Applicant further requests that this Application, Affidavit, and the Court's Order be placed under seal until further order of the Court.

Respectfully submitted,

BENJAMIN C. GLASSMAN  
United States Attorney

s/Karl P. Kadon III

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AFFIDAVIT

I, Michael Matulewicz, being duly sworn, depose and say:

1. I am a Detective with the Norwood (Ohio) Police Department currently assigned as a Task Force Officer with the Drug Enforcement Administration (DEA). I have been a police officer for over 6 years. I have earned a Bachelor's of Science Degree and am a graduate of the United States Marine Corps' Officer Candidate School. During the course of your affiant's law enforcement career, your affiant has received training in the utilization, preparation, and execution of search and seizure warrants through an Ohio Peace Officer Training Academy, and has subsequently participated in the execution of numerous search and seizure warrants for narcotics, dangerous drugs, and the records, books, and proceeds derived as a result of violations of the State and Federal narcotics statutes.

2. I have participated in all aspects of drug investigations, including physical surveillance, installation and monitoring of GPS devices, undercover operations, execution of search warrants, arrests of drug traffickers, and Title-III wiretap investigations.

3. This affidavit is being submitted in support of delaying the notification requirement under Fed. R. Crim. P. 41(f)(3), stating that the agent must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken.

4. On December 19, 2019 TFO Matulewicz executed the aforementioned search warrant. Pursuant to the search warrant, agents received GPS coordinates for the listed telephone number that assisted in the surveillance of Hector Rodriguez.

5. Pursuant to the original search warrant dated December 19, 2018, a delay of notification for a period of thirty (30) days was authorized by Judge Litkovitz. Therefore, notice to RODRIGUEZ is due on February 19, 2019.

6. Your affiant requests authorization to delay notification of the execution of a search warrant for an additional ninety (90) calendar days. Said delay is requested for the following reasons:

a. Agents are still actively investigating RODRIGUEZ and have multiple confidential sources providing information about the organization's activities.

b. Notification of the execution of this search warrant will alert not only RODRIGUEZ of an active investigation, but will also alert other members of his drug trafficking organization of an investigation into the entire organization. Further, notification will compromise agent's ability to utilize the same investigative technique to track and arrest members of the organization.

7. 8. For the above reasons, your affiant requests that the notification requirement of the execution of a federal search warrant under Criminal Rule of Federal Procedure 41(f)(3), be delayed for an additional period of ninety (90) days so as to not jeopardize an ongoing investigation.

8. IT IS FURTHER REQUESTED that the Application, Order, and this Affirmation, as it reveals an ongoing investigation, be sealed until further order of the Court in order to avoid premature disclosure of the investigation, guard against flight, and better ensure the safety of agents and others, except that working copies may be served on Special Agents and other investigative and law enforcement officers of the DEA, federally deputized state and local law enforcement officers, and other government and contract personnel acting under the supervision



of such investigative or law enforcement officers, and Sprint as necessary to effectuate the Court's Order.

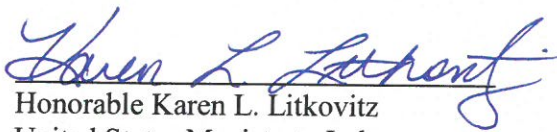
Respectfully submitted,



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Michael Matulewicz  
Task Force Officer  
Drug Enforcement Administration

Sworn to and subscriber before me on this 11 day of February 2019.



Honorable Karen L. Litkovitz  
United States Magistrate Judge